

COUNCIL DOCKET OF

Oct 27 2008☐ Supplemental ☒ Adoption ☐ Consent ☐ Unanimous Consent Rules Committee Consultant Review

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Statewide Ballot Initiatives for the November 4, 2008, General Election – Proposition 8, Eliminates Right of Same-Sex Couples to Marry

☒ Reviewed ☐ Initiated By Rules On 10/08/08 Item No. 2g

RECOMMENDATION TO:

Oppose Statewide Ballot Proposition 8, Eliminates Right of Same Sex Couples to Marry Act, and to send to Council a resolution in opposition for the consent agenda.

VOTED YEA: Madaffer, Frye, Hueso, Peters

VOTED NAY: Young

NOT PRESENT:

CITY CLERK: Please reference the following reports on the City Council Docket:

REPORT TO THE CITY COUNCIL NO.

INDEPENDENT BUDGET ANALYST NO.

COUNCIL COMMITTEE CONSULTANT ANALYSIS NO.

OTHER:

Intergovernmental Relations Department's October 3, 2008, memorandum; Intergovernmental Relations Department's October 8, 2008, PowerPoint

COUNCIL COMMITTEE CONSULTANT

Elyse Lowe

**OFFICE OF MAYOR JERRY SANDERS****MEMORANDUM****DATE:** October 3, 2008**TO:** Mayor Jerry Sanders, City Council**FROM:** Job Nelson, Director Intergovernmental Relations *gn***RE:** November 2008 State Ballot Measures

In determining whether or not the City should support or oppose a given ballot measure, the Intergovernmental Relations Department generally applied the criteria that were used as a guide in establishing the City's 2008 legislative priorities:

1. Does the proposal provide significant revenues or funding opportunities to the City?
2. Does the proposal provide significant cost savings if enacted?
3. Does the proposal enhance public safety?
4. Does the proposal provide the City with greater ability or flexibility to provide municipal services to its citizens?
5. Does the proposal limit or enhance local control?

These criteria do not prohibit individual Councilmembers or the Mayor from taking an individual position of support or opposition to any ballot measure.

Proposition 1A: Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century

Prop. 1A asks voters to approve the issuance of **\$9.95 billion** of general obligation bonds. The funding would be used supplement private monies in order to build the approximately \$40 billion high speed rail system that would stretch from Sacramento down through San Francisco and Los Angeles and end in San Diego. The California High-Speed Rail anticipated the system to be completed around 2030. A portion of the funds, \$950 million, would also be available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines. The City was active in lobbying for AB 3034 which amended

Prop 1 to give all high-speed rail corridors, including the route through the San Diego region, an equal opportunity to compete for a share of the \$9 billion.

IRD Recommendation: *Support*

It is IRD's recommendation that the City of San Diego support this proposition. The City is already home to the second busiest Amtrak Line in the nation—the Los/San Corridor—which might benefit from the \$950 million in non high-speed rail funds. Additionally, a high-speed rail line that terminated at Lindbergh Field would provide long term benefits to air capacity for San Diego International Airport by reducing the need for commuter flights back and forth to Los Angeles and other cities along the high-speed rail system.

The City is responsible through SANDAG for regional rail issues and aviation issues, therefore this meets the IRD criteria for support or opposition.

Proposition 2: Standards for Confining Farm Animals

The City has already taken a position on this proposition.

Proposition 3: Children's Hospital Bond Act

This measure authorizes just under \$1 billion in bonds, to be repaid from state's General Fund, to fund the construction, expansion, remodeling, renovation, furnishing and equipping of children's hospitals. This initiative was sponsored by children's hospitals across the state. Rady Children's Hospital would benefit if this bond is passed.

IRD Recommendation: *No Position*

This measure does not meet the criteria for a formal city position.

Proposition 4: Abortion Waiting Period and Parental Notification Initiative

The initiative would require parental notification of an unemancipated minors abortion or, if parental abuse has been reported, an alternative adult family member.

IRD Recommendation: *No Position*

This measure does not meet the criteria for a formal city position.

Proposition 5: Nonviolent Offender Rehabilitation Act (NORA)

According to the Secretary of State's Office Proposition 5 includes provisions that:

- Requires California to expand and increase funding and oversight for individualized treatment and rehabilitation programs for nonviolent drug offenders and parolees.

- Reduces criminal consequences of nonviolent drug offenses by mandating three-tiered probation with treatment and by providing for case dismissal and/or sealing of records after probation.
- Limits court's authority to incarcerate offenders who violate probation or parole.
- Shortens parole for most drug offenses, including sales, and for nonviolent property crimes.
- Creates numerous divisions, boards, commissions, and reporting requirements regarding drug treatment and rehabilitation.
- Changes certain marijuana misdemeanors to infractions.

IRD Recommendation: *Oppose*

This measure has the potential to negatively impact public safety and therefore meets the formal position criteria. By reducing sentencing requirements for key crimes it increases the likelihood that drug dealers will also be given the same lenient treatment as casual users. It is opposed by the California District Attorneys Association and the California State Sheriffs Association, as well as numerous other law enforcement and community groups.

Proposition 6: Safe Neighborhoods Act

According to the Legislative Analyst's Office the provisions of Proposition 6 include:

- Enhances various criminal justice programs and increases spending for prison and parole operations. This funding would come from California's General Fund, reallocating funds currently spent on K-12 Education, Higher Education, Health and Human Services, Business, Transportation and Housing, and Environmental Protection
- Enhances penalties for gang crimes by prosecuting youth 14 years or older who are accused of a "gang-related" felony as unfit for trial in a juvenile court as adults.
- Requires that all public housing occupants submit to annual criminal background checks. If any occupant did not pass this criminal background check, the entire family would be removed from their housing.
- Increase penalties for several crimes, including violating gang injunctions, methamphetamine crimes, or carrying loaded or concealed firearms by certain felons.
- Eliminates bail for undocumented individuals charged with violent or gang-related felonies.
- Establish as a crime the act of removing or disabling a monitoring device affixed as part of a criminal sentence.
- Change evidence rules to allow use of certain hearsay statements as evidence when witnesses are unavailable.

IRD Recommendation: *Support*

This measure has the potential to enhance public safety and therefore meets the formal position criteria. This bill provides sentencing enhancements for gang related crimes. It is supported by the California District Attorneys Association and the California State

Sheriffs Association, as well as numerous other law enforcement groups. That said, we are hesitant in our support due to the potential significant statewide budget impacts that this bill would generate. Additionally, we are hesitant to support any measure that contributes to ballot box budgeting for the state. This initiative is opposed by the California Teachers Association and other public employee labor unions.

Proposition 7: Renewable Energy Statute

According to the Secretary of State the provisions of Propositions 7 include:

- All electric utilities will be required to provide half of their electricity from solar and clean energy facilities by 2025.
- This initiative moves considerable authority away from the Public Utilities Commission (PUC) and moves it to the California Energy Commission (CEC). Including requiring the CEC to identify solar and clean energy zones to jump-start clean power plants.
- Renewable plant construction permits would be fast-tracked for approval by the California Energy Commission once all environmental reviews are in place. This fast-tracking would limit local control by curtailing the period for local comments and participation to 100 days.
- Penalties levied on utilities would be reduced from 5% to 1% for specific acts of non-compliance, but the total cap on fines that can be imposed on a utility would be eliminated.
- Funds from these penalties will be spent by the CEC on the construction of new transmission lines or the improvement of existing transmission lines to provide access for renewable energy to the grid.
- Utilities will be prohibited from passing along penalties to their electric rate-payers.
- Caps price impacts on consumer's electricity bills at less than 3 percent. However, the non-partisan California Legislative Analyst's Office states that "the measure includes no specific provisions to implement or enforce this declaration".
- Renewable energy sources include solar thermal, photovoltaic, wind, geothermal, small hydro, biomass, and tidal, etc., as provided for in current law Public Resources Code section 25741.

IRD Recommendation: *Oppose*

This measure will negatively impact local control and therefore meets the formal position criteria. It also has the potential to increase rates at least in the short term. It is opposed by the California League of Cities as well as numerous environmental advocacy organizations and community groups.

Proposition 8: Eliminates Right of Same-Sex Couples to Marry Act

Is a California constitutional amendment that will add the following text: "Only marriage between a man and a woman is valid or recognized in California."

IRD Recommendation: *Oppose*

While this measure does not meet the criteria outlined above, IRD recommends an oppose position that is consistent with the action taken by the City Council in the amicus brief on the Supreme Court Decision to strike down Proposition 22.

Proposition 9: Victims' Rights and Protection Act of 2008

According to the LAO, the provisions of Proposition 9 include:

- Provisions requiring the payment of restitution to victims.
- Any funds collected by a court, or law enforcement agencies, from a person ordered to pay restitution would go to pay that restitution first, in effect prioritizing those payments over other fines and obligations an offender may legally owe.
- Provisions regarding the notification and participation of victims in criminal justice proceedings.
- Provisions that expand victims' legal rights.
- Provisions that affect how parole is granted and revoked.

IRD Recommendation: *No Position*

This measure does not meet the criteria for a formal city position. Many of the provisions in Proposition 9 were already enacted in Proposition 8 (1982). This measure does have the potential to increase the amount of money the state already spends on incarceration.

Proposition 10: California Alternative Fuels Initiative

According to the Secretary of State's Office this bond measure would authorize \$5 billion in general obligation bonds to support alternative fuels, with the emphasis being natural gas technologies. The breakdown of the spending is as follows:

- 58% in cash payments of between \$2,000 and \$50,000 to purchasers of certain high fuel economy and alternative fuel vehicles;
- 20% in incentives for research, development and production of renewable energy technology;
- 11% in incentives for research and development of alternative fuel vehicle technology;
- 5% in incentives for purchase of renewable energy technology;
- 4% in grants to eight cities for education about these technologies; and
- 3% in grants to colleges to train students in these technologies.

IRD Recommendation: *No Position*

This measure does not meet the criteria for a formal city position. This bill is being opposed by California State Association of Counties, as well as environmental advocacy groups, consumer watchdog groups, business, labor and taxpayer organizations.

Proposition 11: Voters FIRST Act

According to the Secretary of State this redistricting constitutional amendment:

- Changes authority for redistricting the Assembly, Senate, and Board of Equalization district boundaries from elected representatives to a 14 member commission.
- Requires government auditors to select 60 registered voters from applicant pool. Permits legislative leaders to reduce pool, then the auditors pick eight commission members by lottery, and those commissioners pick six additional members for 14 total.
- Requires that the commission consist of five Democrats, five Republicans and four of neither party. Commission shall hire lawyers and consultants as needed.
- For approval, district boundaries need votes from three Democratic commissioners, three Republican commissioners and three commissioners from neither party.

IRD Recommendation: *No Position*

This measure does not meet the criteria for a formal city position.

Proposition 12: Veterans' Bond Act of 2008

The ballot summary states that "This act provides for a bond issue of nine hundred million dollars (\$900,000,000) to provide farm and home aid for California veterans." Costs of the program are paid by veterans who participate in the program by purchasing properties or homes. California began the veterans' home loan programs in the 1922. California voters have subsequently been asked 26 times to fund the program and have said "yes" all 26 times, for a total of \$8.4 billion in the past. The 2008 effort is the 27th time voters will have been asked to support the program. Prop. 12's request for \$900 million is the largest request for a Cal-Vet bond.

IRD Recommendation: *No Position*

This measure does not meet the criteria for a formal city position.

Cc: Jay Goldstone, COO
 Mary Lewis, CFO
 Kris Michell, Deputy COO- Community and Legislative Affairs
 Julie Dubick, Director of Policy
 Andrea Tevlin, IBA

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City of San Diego



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Report to the Rules Committee

Statewide Ballot Propositions
October 8, 2008

10/10/08 T-1



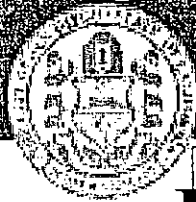
Overview

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City can take a position on a ballot proposition but it cannot use taxpayer dollars to advocate on behalf of a measure.

These criteria do not prohibit individual Councilmembers or the Mayor from taking an individual position of support or opposition to any ballot measure.

In our IRD Report we included criteria and recommendations should the Council over the next month decide that they wish to take a formal position on any of these measures.



City of San Diego

Proposition 1A: Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century

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- Prop. 1A asks voters to approve the issuance of \$9.95 billion of general obligation bonds.
- The funding would be used to supplement private monies in order to build the approximately \$40 billion high speed rail system that would stretch from Sacramento down through San Francisco and Los Angeles and end in San Diego.
- The High Speed Train Bond Act has been delayed 4 times.
- A portion of the funds, \$950 million, would also be available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines.
- The City was active in lobbying for AB 3034 which amended Prop 1 to give all high-speed rail corridors, including the route through the San Diego region, an equal opportunity to compete for a share of the \$9 billion.



City of San Diego

Prop 1A Supporting Arguments

000354

- The high speed train network proposed in the initiative will reduce highway traffic congestion without raising taxes!
- It will save commuters time and money.
- It will remove 12 billion pounds of CO₂ emissions.
- The ridership and revenue forecasts in the project's plan were subjected to "tough peer review".
- Federal funds and private grants that amount to as much as 9 billion dollars will match the debt incurred if this proposal passes.

Supporters include: California Labor Federation, Sierra Club, League of Conservation Voters, CALPIRG, California Hispanic Chamber of Commerce



City of San Diego

Prop 1A: Opposing Arguments

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- There is no guarantee the project will ever be completed.
- Building the rail system on the proposed route will have an adverse impact on 140-180 parks, wildlife refuges and protected open spaces.
- It is a political boondoggle and a waste of money.
- Existing transit systems should be expanded instead of starting from scratch.

Opponents include: Howard Jarvis Taxpayers Association, California Chamber of Commerce, California Rail Foundation

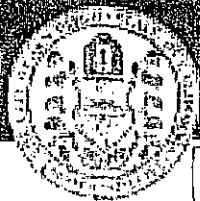


City of San Diego

Proposition 2: Standards for Confining Farm Animals

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The City has already taken a position on this proposition.



City of San Diego

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Proposition 3: Children's Hospital Bond Act

- This measure authorizes just under \$1 billion in bonds, to be repaid from state's General Fund, to fund the construction, expansion, remodeling, renovation, furnishing and equipping of children's hospitals.
- This initiative was sponsored by children's hospitals across the state.
- Rady Children's Hospital would benefit if this bond is passed.

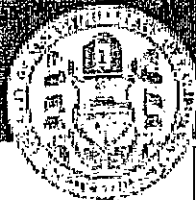


City of San Diego

Prop 3 Supporting Arguments

- The initiative will help provide the hospitals with enough money for greater bed capacity
- The initiative will also allow hospitals to purchase important equipment as well as the most modern technologies.

Supporters include: American Academy of Pediatrics-California, California Medical Association, California Chamber of Commerce, League of Women Voters of California, California Federation of Teachers, California Parent Teacher Association (PTA), Actress Jamie Lee Curtis



City of San Diego

Prop 3: Opposing Arguments

000359

- Proposition 3 is misuse of the public ballot system by special interests
- The measure also allows money to go to hospitals that are not children's hospitals
- These very same special interest groups initiated the passage of Prop 61 half of that money still remains unspent

Opponents include: National Tax Limitation Committee



Proposition 4: Abortion Waiting Period and Parental Notification Initiative

The initiative would require parental notification of an unemancipated minor's abortion or, if parental abuse has been reported, an alternative adult family member. The initiative also:

- Provides notification exceptions for medical emergency or parental waiver.
- Permits courts to waive notice based evidence of minor's best interests.
- Mandates reporting requirements, including reports from physicians regarding abortions on minors.
- Authorizes damages against physicians for violation.
- Requires minor's consent to abortion, with exceptions.



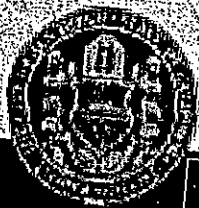
City of San Diego

Prop 4 Supporting Arguments

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- 34 other U.S. States have notification laws in place that proponents argue have resulted in declined rates of teen abortion, STDs, and teen pregnancy.
- An abortion for a minor without the knowledge of a family member or guardian may result in additional health complications that parents may not be aware of to seek help.
- Abortion clinics may not report sexual crimes. This builds in reporting redundancy.
- Governor Schwarzenegger has gone on the record in support of the initiative.

Supporters include: Pacific Justice Institute, Family Research Council, Advocates for Faith and Freedom



City of San Diego

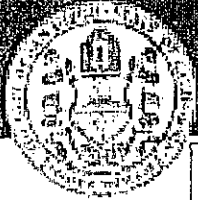


Prop 4: Opposing Arguments

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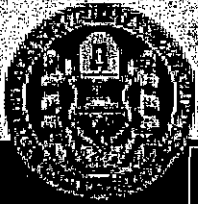
- Mandated parental notification laws don't work.
- Some teenagers fear going to their parents
- Prop 4 may force these teens to delay medical care, turn to self-induced abortions, or consider suicide.

Opponents include: American Academy of Pediatrics, California District, American College of Obstetricians and Gynecologists, District IX, California Nurses Association, California Teachers Association, Planned Parenthood Affiliates of California



Proposition 5: Nonviolent Offender Rehabilitation Act (NORA)

- Requires California increase funding and expand oversight for individualized treatment and rehabilitation programs for nonviolent drug offenders and parolees.
- Reduces criminal consequences of nonviolent drug offenses by mandating three-tiered probation with treatment and by providing for case dismissal and/or sealing of records after probation.
- Limits court's authority to incarcerate offenders who violate probation or parole.
- Shortens parole for most drug offenses, including sales, and for nonviolent property crimes.
- Creates numerous divisions, boards, commissions, and reporting requirements regarding drug treatment and rehabilitation.
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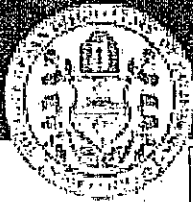
City of San Diego

Prop 5 Supporting Arguments

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- The initiative would reduce pressure on overcrowded and expensive prisons.
- It focuses on rehabilitation making it a real priority for the state prison system and restructures the Department of Corrections and Rehabilitation to further that goal.
- NORA commits about \$65 million per year to drug treatment and other support programs for at-risk youth, creating a system of care for young people under the age of 18 where no services exist now.

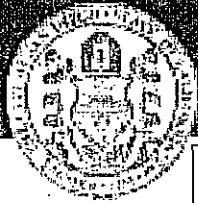
Supporters include: California Nurses Association, California Society of Addiction Medicine, California Academy of Family Physicians, League of Women Voters of California, California Federation of Teachers, California Labor Federation



Prop 5: Opposing Arguments

- The initiative shortens parole for methamphetamine dealers and other drug felons from 3 years to 6 months.
- This measure may allow drug users to escape prosecution for other crimes by claiming addiction--for this reason it is strongly opposed by MADD.
- It establishes two new bureaucracies with limited accountability and at a cost of hundreds of millions of dollars.
- Addicted defendants will be permitted five violations of probation or treatment failures based on drug use, and judges will be unable to meaningfully intervene until the sixth violation.
- The Governor and Legislature cannot adjust Prop 5 funding, even in times of budget shortfall or state crisis.

Opponents include: Mothers Against Drunk Driving (MADD), Crime Victims United, California State Association of Counties (CSAC), California Chamber of Commerce, California District Attorneys Association, California Police Chiefs Association, National Drug-Free Workplace Alliance, National Association of Drug Court Professionals

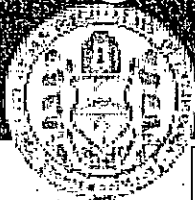


City of San Diego

Proposition 6: Safe Neighborhoods Act

- Enhances various criminal justice programs and increases spending for prison and parole operations. This funding would come from California's General Fund.
- Enhances penalties for gang crimes by prosecuting youth 14 years or older who are accused of a "gang-related" felony as unfit for trial in a juvenile court.
- Requires that all public housing occupants submit to annual criminal background checks. If any occupant did not pass this criminal background check, the entire family would be removed from their housing.
- Increase penalties for several crimes, including violating gang injunctions, methamphetamine crimes, or carrying loaded or concealed firearms by certain felons.
- Eliminates bail for undocumented individuals charged with violent or gang-related felonies.
- Change evidence rules to allow use of certain hearsay statements as evidence when witnesses are unavailable.

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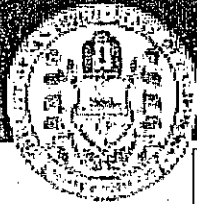
City of San Diego

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Prop 6 Supporting Arguments

- Creates tougher punishment for gang crimes, drive-by shooting, meth distribution and victim intimidation.
- Enhances and increases funding for gang prevention programs.
- It funds victim-witness protection programs.
- Prohibits bail for illegal aliens who are charged with violent or gang crimes.
- Ensures funding for local police, sheriff, district attorneys and probation officers.

Supporters include: California Police Chiefs' Association, California District Attorneys Association, Chief Probation Officers' of California, California Peace Officers Association, Crime Victims United, National Tax Limitation Committee



Prop 6: Opposing Arguments

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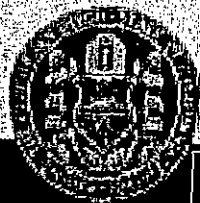
- It could divert billions from California's schools, hospitals and childcare centers, deepening the state's ongoing budget crisis.
- Opponents argue that it targets poor people, forcing recipients of public housing subsidies to submit to annual criminal background checks with the intention of withdrawing the housing subsidies of people with recent criminal convictions.
- It also targets undocumented immigrants by denying bail to those charged with violent or gang-related crimes and requiring local sheriffs to inform Immigration and Customs Enforcement (ICE) of the arrest and charges of people who are undocumented.
- It guarantees billions of taxpayer dollars to unproven programs with no accountability.

Opponents include: California Teachers Association, California Federation of Teachers, California State Firefighters Association, California Labor Federation, AFL-CIO, California State Conference of the NAACP



Proposition 7: Renewable Energy Statute

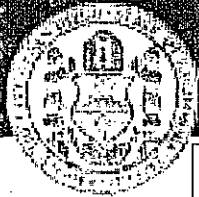
- All electric utilities will be required to provide half of their electricity from solar and clean energy facilities by 2025.
- This initiative moves considerable authority away from the Public Utilities Commission (PUC) and moves it to the California Energy Commission (CEC). Including requiring the CEC to identify solar and clean energy zones to jump-start clean power plants.
- Renewable plant construction permits would be fast-tracked for approval by the California Energy Commission once all environmental reviews are in place. This fast-tracking would limit local control by curtailing the period for local comments and participation to 100 days.
- Penalties levied on utilities would be reduced from 5% to 1% for specific acts of non-compliance, but the total cap on fines that can be imposed on a utility would be eliminated.



Proposition 7: Renewable Energy Statute

000370

- Funds from these penalties will be spent by the CEC on the construction of new transmission lines or the improvement of existing transmission lines to provide access for renewable energy to the grid.
- Utilities will be prohibited from passing along penalties to their electric rate payers.
- Caps price impacts on consumer's electricity bills at less than 3 percent. However, the Legislative Analyst's Office states that "the measure includes no specific provisions to implement or enforce this declaration."
- Renewable energy sources include solar thermal, photovoltaic, wind, geothermal, small hydro, biomass, and tidal, etc., as provided for in current law.



Prop 7 Supporting Arguments

000371

- Proponents offer a letter from three Nobel prize winning scientists that states the initiative provides powerful and necessary tools to reach the goals of 50% renewable energy by 2025.
- It would make California the world leader in clean power technology.
- It would help create over 370,000 new high wage jobs.
- The initiative meets environmental protection standards as outlined in the Warren-Alquist Act and Desert Protection Act.
- Provides for local government review.
- It will have no negative impact on small-scale renewables and will very likely benefit small-scale renewables.

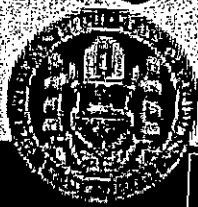
Supporters include: No organizational endorsements but endorsed by John Burton, Danny Glover



Prop 7: Opposing Arguments

- Will force small wind and solar companies out of the market. The initiative excludes small renewable plants smaller than 30mw from counting towards new requirements.
- Contains a provision that virtually guarantees that electricity consumers will pay 10% above market rates for renewable power forever, even when the costs of solar and wind sources become more competitive.
- Will cause the average California household to see its utility bill increase by more than \$300 each year.
- An analysis by the California Public Utilities Commission legal counsel warns that Prop. 7 could interfere and delay renewable energy programs.

Opponents include: California League of Conservation Voters, Environmental Defense Fund, Natural Resources Defense Council, Sierra Club California, California Solar Energy Industries Association, California Wind Energy Association, California Taxpayers' Association, League of Women Voters of California, California Chamber of Commerce, California Labor Federation, League of California Cities



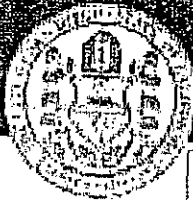
City of San Diego

Proposition 8: Eliminates Right of Same-Sex Couples to Marry Act

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Is a California constitutional amendment that will add the following text:
"Only marriage between a man and a woman is valid or recognized in California."

The constitutional amendment would overturn the court's decision this spring which allowed same sex couples to marry in California.



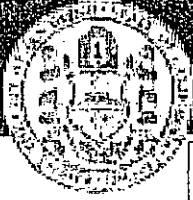
City of San Diego

Prop 8 Supporting Arguments

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- Proposition 8 doesn't take away any rights or benefits of gay or lesbian domestic partnerships.
- Prop. 8 "restores the definition of marriage to what the vast majority of California voters already approved and human history has understood marriage to be."
- It overturns the decision of four activist Supreme Court judges who the will of the people.
- It protects children from being taught in public schools that "same-sex marriage" is the same as traditional marriage.

Supporters include: American Family Association, California Family Alliance, Concerned Women for America, Family Research Council



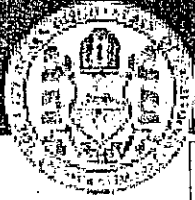
City of San Diego

Prop 8: Opposing Arguments

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- The California Constitution should guarantee the same freedoms and right to everyone. "Equal protection under the law is the foundation of American society."
- The institution of marriage conveys dignity and respect to the lifetime commitment that a couple makes.
- The freedom to marry is fundamental to our society, just like the freedoms of religion and speech.

Opponents include: California NAACP, California NOW, The Center Advocacy Project, Gay & Lesbian Alliance Against Defamation (GLAAD), California Federation of Teachers, California Labor Federation



Proposition 9: Victims' Rights and Protection Act of 2008

- This initiative requires the payment of restitution to victims.
- Any funds collected by a court or law enforcement agencies from a person ordered to pay restitution would go to pay that restitution first, in effect prioritizing those payments over other fines and obligations an offender may legally owe.
- This initiative enhances the notification and participation of victims in criminal justice proceedings.
- The initiative contains provisions that expand victims' legal rights.
- It impacts how parole is granted and revoked.



City of San Diego

Prop 9 Supporting Arguments

000377

- Proposition 9 would save money because under the current system, taxpayers are spending money to fund hearings for criminals who have little chance of release.
- Enhances victim rights.
- Parole judges could increase the number of years between parole hearings typically to 15 years, saving money.

Supporters include: A list of endorsers could not be found



Prop 9: Opposing Arguments

000378

- Voters already approved many components of Prop. 9 when they passed Proposition 8 (1982), including the requirements that victims be notified of critical points in an offender's legal process as well as the rights for victims to be heard throughout the legal process.
- The provision in Prop. 9 to stop early release of criminals could end up costing the taxpayer in the "hundreds of millions" of dollars.
- It would make prison overcrowding in California even worse.
- Opponents say that Prop. 9 would affect early parole of only 1% of the most violent criminal population.

Opponents include California Teachers Association, California Federation of Teachers



Proposition 10: California Alternative Fuels Initiative

This bond measure would authorize \$5 billion in general obligation bonds to support alternative fuels, with the emphasis being natural gas technologies. The breakdown of the spending is as follows:

- 58% in cash payments of between \$2,000 and \$50,000 to purchasers of certain high fuel economy and alternative fuel vehicles;
- 20% in incentives for research, development and production of renewable energy technology;
- 11% in incentives for research and development of alternative fuel vehicle technology;
- 5% in incentives for purchase of renewable energy technology;
- 4% in grants to eight cities for education about these technologies; and
- 3% in grants to colleges to train students in these technologies.

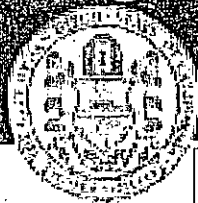


City of San Diego

Prop 10 Supporting Arguments

- This initiative provides funding for the generation of electricity from renewable sources, and provide consumer rebates for the purchase or lease of "clean alternative fuel vehicles".
- The funding allocates money into research for alternative fuels.
- The diesel trucks that could be replaced produce dangerous pollution.
- Alternatives to high-priced gasoline are important.

Supporters include: City of Oakland, Ed Begley, Jr., Actor
Ron Dellums, Mayor, City of Oakland, Bob Foster, Mayor, City of
Long Beach, Miguel Pulido, Mayor, City of Santa Ana, Plug in
America, Consumers First, California Natural Gas Vehicle Partnership



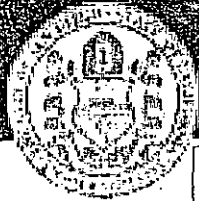
City of San Diego

Prop 10: Opposing Arguments

000381

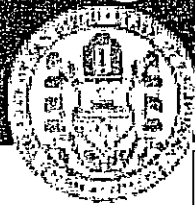
- The proposition is a laundry list of cash grabs -- from \$200 million for a liquefied natural gas terminal to \$2.5 billion for rebates of up to \$50,000 for each natural gas vehicles.
- This initiative ties up \$10 billion out of the state's general fund over a 30 year period to underwrite the cost for individuals and businesses to purchase low-emission vehicles just increasing the states debt
- Focus is on natural gas and not a lot of other better fuel sources
- Only one car currently manufactured (the Toyota Prius) meets the rebate standards in Prop. 10.

Opponents include: California League of Conservation Voters, the Sierra Club, Consumer Federation of California, Utility Consumers' Action Network (UCAN), California Chamber of Commerce, California Taxpayers Association, the Howard Jarvis Taxpayers Association, California Labor Federation, California Federation of Teachers



Proposition 11: Voters FIRST Act

- This initiative changes authority for redistricting the Assembly, Senate, and Board of Equalization district boundaries from elected representatives to a 14 member commission.
- It requires government auditors to select 60 registered voters from applicant pool. Permits legislative leaders to reduce pool, then the auditors pick eight commission members by lottery, and those commissioners pick six additional members for 14 total.
- It requires that the commission consist of five Democrats, five Republicans and four of neither party. Commission shall hire lawyers and consultants as needed.
- For approval, district boundaries need votes from three Democratic commissioners, three Republican commissioners and three commissioners from neither party.



City of San Diego

Prop 11 Supporting Arguments

000383

- Ends the conflict of interest of politicians drawing their own election districts
- Creates fair districts drawn by a citizens commission following clear rules and open to the public
- It holds politicians accountable for solving problems like gas prices, healthcare, and education.

Supporters include: Governor Arnold Schwarzenegger, Steve Westly, Former State Controller, AARP, League of Women Voters of California, Los Angeles Area Chamber of Commerce, California Chamber of Commerce, California Common Cause

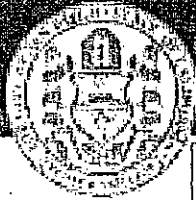


Prop 11: Opposing Arguments

000384

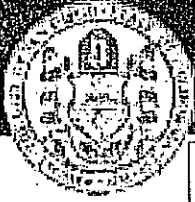
- Politicians paid millions to put Prop. 11 on the ballot to change the Constitution and create a costly new bureaucracy.
- Gives the power of drawing districts to people who are never elected and never accountable to voters.

Opponents include: California Democratic Party, California Federation of Teachers, United Teachers of Los Angeles, California State Firefighters Association, California League of Conservation Voters, Mexican American Legal Defense and Educational Fund, NAACP Legal Defense Fund.



Proposition 12: Veteran's Bond Act of 2008

- This act provides for a bond issue of \$900,000,000 to provide farm and home aid for California veterans.
- Costs of the program are paid by veterans who participate in the program by purchasing properties or homes.
- California began the veterans' home loan programs in the 1920s. California voters have subsequently been asked 26 times to fund the program and have said "yes" all 26 times, for a total of \$8.4 billion in the past.
- The 2008 effort is the 27th time voters will have been asked to support the program.
- Prop. 12's request for \$900 million is the largest request for a Cal-Vet bond.



City of San Diego

Prop 12 Supporting Arguments

000386

- The Cal-Vet Home Loan Program enables veterans to obtain low-interest rate loans for the purchase of conventional homes, manufactured homes, and mobile homes without costing the taxpayers one cent.
- More than 420,000 California veterans, including those who served during World War I, World War II, Korea, Vietnam, and more recently, in Iraq and Afghanistan, have become homeowners under the Cal-Vet Home Loan Program.
- All costs of the program, including all administration costs, are paid for by veterans holding loans. There have never been any costs to the taxpayers of California, so this is a fiscally sound way to assist veteran men and women as they return to civilian life.

Supporters include: Senator Mark Wyland, Assemblyman Greg Aghazarian, Assemblyman Tony Strickland



City of San Diego

Prop 12: Opposing Arguments

000387

- This program has indirect costs to the taxpayers, since the interest paid to bondholders is tax-deductible, reducing tax revenue to the state.
- These loans should be limited to those most deserving of assistance—veterans who were wounded or served in combat zones. The program currently has no such limitations.
- In a time of declining home prices, state taxpayers could be liable for shortfalls if home purchasers cannot make payments or sell their property.

Opponent: Gary Wesley, Attorney



City of San Diego



000338

Questions

RECEIVED

08 OCT 16 PM 12:29

CINQUEMARS OFFICE
SAN DIEGO, CA

| | | | | | | | |
|--|------------------------|--|-------------|---|------------------------|--------------------|-------------|
| 000389 | | REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO | | 1. CERTIFICATE NUMBER (FOR AUDITOR'S USE ONLY) | | | |
| TO: City Attorney | | 2. FROM (ORIGINATING DEPARTMENT): Council President Pro Tem Madaffer | | 3. DATE: October 9, 2008 | | | |
| 4. SUBJECT: Resolution Opposing Statewide Ballot Proposition 8, the Eliminates Right of Same Sex Couples to Marry Act | | | | | | | |
| 5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.) Aimee Faucett, x66677 MS 10A | | 6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.) Elyse Lowe, x35897, MS 10A | | 7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/> | | | |
| 8. COMPLETE FOR ACCOUNTING PURPOSES | | | | | | | |
| FUND | | | | 9. ADDITIONAL INFORMATION / ESTIMATED COST: None | | | |
| DEPT. | | | | | | | |
| ORGANIZATION | | | | | | | |
| OBJECT ACCOUNT | | | | | | | |
| JOB ORDER | | | | | | | |
| C.I.P. NUMBER | | | | | | | |
| AMOUNT | | | | | | | |
| 10. ROUTING AND APPROVALS | | | | | | | |
| ROUTE (#) | APPROVING AUTHORITY | APPROVAL SIGNATURE | DATE SIGNED | ROUTE (#) | APPROVING AUTHORITY | APPROVAL SIGNATURE | DATE SIGNED |
| 1 | ORIGINATING DEPARTMENT | JIM MADAFFER | 10/10/08 | 8 | DEPUTY CHIEF | | |
| 2 | | | | 9 | COO | | |
| 3 | | | | 10 | CITY ATTORNEY | Catherine Godley | 10/15/08 |
| 4 | LIAISON OFFICE | | | 11 | ORIGINATING DEPARTMENT | JIM MADAFFER | 10/15/08 |
| 5 | | | | DOCKET COORD: _____ COUNCIL LIAISON: _____ <input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION REFER TO: _____ COUNCIL DATE: 10/27/08 | | | |
| 6 | | | | | | | |
| 7 | | | | | | | |
| 11. PREPARATION OF: <input type="checkbox"/> RESOLUTION(S) <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S) | | | | | | | |
| A resolution in opposition to statewide ballot Proposition 8, the Eliminates Right of Same Sex Couples to Marry Act | | | | | | | |
| 11A. STAFF RECOMMENDATIONS: The Rules Committee on October 8, 2008, voted 4-1 to oppose statewide ballot Proposition 8 and to send to the City Council for consideration a resolution in opposition. (COUNCILMEMBERS PETERS, FRYE, MADAFFER, AND HUESO VOTED YEA; COUNCILMEMBER YOUNG VOTED NAY.) | | | | | | | |
| 12. SPECIAL CONDITIONS: COUNCIL DISTRICT(S): N/A COMMUNITY AREA(S): N/A ENVIRONMENTAL IMPACT: N/A HOUSING IMPACT: N/A OTHER ISSUES: | | | | | | | |

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO OPPOSING STATEWIDE PROPOSITION 8,
"CALIFORNIA MARRIAGE PROTECTION ACT."

WHEREAS, Statewide Proposition 8 is officially titled "Eliminates Right of Same-Sex Couples to Marry. Initiative Constitutional Amendment" and is also known as the "California Marriage Protection Act"; and

WHEREAS, on March 2000, California voters passed Proposition 22 to modify state law to indicate that only marriage between a man and a woman is valid or recognized in California; and

WHEREAS, on May 15, 2008, the California Supreme Court ruled that the statute enacted by Proposition 22 and other statutes that limit marriage to a relationship between a man and a woman violated the equal protection clause of the California Constitution; and

WHEREAS, as a result of the California Supreme Court's ruling, marriage between individuals of the same sex is currently valid or recognized in the state; and

WHEREAS, Proposition 8 proposes to amend the California Constitution to specify that only marriage between a man and a woman is valid or recognized in California; and

WHEREAS, if passed, notwithstanding the California Supreme Court ruling of May 2008, marriage would be limited to individuals of the opposite sex, and individuals of the same sex would not have the right to marry in California; and

WHEREAS, opponents of Proposition 8 assert that the California Constitution should guarantee the same freedoms and rights to everyone, and that the freedom to marry is fundamental to our society, just like the freedoms of speech and religion; and

WHEREAS, opponents of Proposition 8 assert that the institution of marriage conveys dignity and respect to the lifetime commitment that a couple makes; NOW, THEREFORE,

BE IT RESOLVED, that the San Diego City Council opposes Statewide Proposition 8, the "California Marriage Protection Act."

BE IT FURTHER RESOLVED, that no public funds shall be used in the campaign for or against the measure.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Catherine M. Bradley
Catherine M. Bradley
Chief Deputy City Attorney

CMB:als
10/15/08
Or.Dept:City Clerk
R-2009-473

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

000393

07-0068

PROTECTMARRIAGE.COM

RECEIVED
after 3pm
OCT - 5 2007

October 1, 2007

Initiative Coordinator
Office of the California Attorney General
1300 I Street
Sacramento, CA 95814

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary of Proposed Initiative

Dear Initiative Coordinator:

I am one of the proponents of the proposed initiative constitutional amendment filed herewith. We request that the Attorney General prepare a title and summary of the chief purpose and points of this proposed measure. Enclosed please find the text of the proposed measure, my residence address at which I am registered to vote, and the filing fee of \$200.

Please forward any inquiries you may have regarding this measure to Andrew Pugno, P.O. Box 1993, Fair Oaks, CA 95628, (916) 608-3065.

Sincerely,

DENNIS HOLLINGSWORTH

SECTION 1. Title

This measure shall be known and may be cited as the "California Marriage Protection Act."

SECTION 2. Article I, Section 7.5 is added to the California Constitution, to read:

Sec. 7.5. Only marriage between a man and a woman is valid or recognized in California.

**ELIMINATES RIGHT OF SAME-SEX COUPLES TO MARRY.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

ELIMINATES RIGHT OF SAME-SEX COUPLES TO MARRY. INITIATIVE CONSTITUTIONAL AMENDMENT.

- Changes the California Constitution to eliminate the right of same-sex couples to marry in California.
- Provides that only marriage between a man and a woman is valid or recognized in California.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- Over the next few years, potential revenue loss, mainly from sales taxes, totaling in the several tens of millions of dollars, to state and local governments.
- In the long run, likely little fiscal impact on state and local governments.

#154
10/27/08

October 23, 2008

To: Council President Scott Peters, and Councilmembers

From: Harry Mathis

Re: City Council Docket October 27, 2008, Item 154: Resolution to Oppose Proposition 8

Dear President Peters and Councilmembers:

I regret that I will be out of town and unable to appear in support of the Resolution. However, I am writing to commend you for your previous stance in support of the lawsuit which resulted in the overturning of the ban against same sex marriage by the California Supreme Court. I ask you now to stay the course, and approve the Resolution opposing Proposition 8, which seeks to negate the Court's decision.

Please be true to yourselves, and to the underlying concept of our Constitution which fundamental purpose in being is to guarantee equal treatment for all.

Sincerely,

Harry Mathis
5640 Sandburg Avenue
San Diego, CA 92122

cc: Mayor Jerry Sanders
City Attorney Michael Aguirre

154
10/27

From: CLK City Clerk
Sent: Friday, October 24, 2008 2:25 PM
To: Atkins, Councilmember; Faucett, Aimee; Faulconer, Council Member Kevin; Frye, Donna; Hueso, Councilmember Ben; Lujan, Magdalena; Madaffer, Councilmember Jim; Maienschein, Councilmember; Peters, Councilmember Scott; Pickens, Sonia; Soria, Patricia; Vetter, Gary; Yepiz, Lauren; Young, Anthony
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Friday, October 24, 2008 12:22 PM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Friday, October 24, 2008 at 12:21:32

Name: Karen Potter

Email: Karenapotter@san.rr.com

Address: 4289 Cartulina Road

City: San Diego

State: CA

Zip: 92124

Area Code: 858

Telephone: 268-4302

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: Item 154/ October 27, 2008

Comments: You cannot vote as representatives of the CITY OF SAN DIEGO to oppose Proposition 8 unless you first ask the voters YOU REPRESENT to give you our direction on this topic. You cannot push your own PERSONAL agendas in this public forum. If voting NO on this vote makes you uncomfortable, you should have thought of that in the first place before even putting this on your agenda. Notice I'm not asking you to vote yes on Prop 8; I'm saying we the voters have not given you the right to vote for the PEOPLE OF SAN DIEGO on this proposition. This is not a City policy vote; it's not a City issue vote; it's purely for political reasons. VOTE DOWN CITY OPPOSITION TO PROPOSITION 8.

REMOTE_ADDR: 198.180.31.12

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; (R1 1.5); .NET CLR 1.1.4322; .NET CLR 2.0.50727; IEMB3)

From: CLK City Clerk
Sent: Friday, October 24, 2008 2:24 PM
To: Atkins, Councilmember; Faucett, Aimee; Faulconer, Council Member Kevin; Frye, Donna; Hueso, Councilmember Ben; Lujan, Magdalena; Madaffer, Councilmember Jim; Maienschein, Councilmember; Peters, Councilmember Scott; Pickens, Sonia; Soria, Patricia; Vetter, Gary; Yepiz, Lauren; Young, Anthony
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Friday, October 24, 2008 9:46 AM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Friday, October 24, 2008 at 09:45:35

Name: Eric Pan

Email: epan@renhealthcare.com

Address: 5955 Mira Mesa Blvd, Suite C

City: San Diego

State: CA

Zip: 92121

Area Code: 858

Telephone: 784-0500

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: Item 154 for 10/27, opposing proposition 8

Comments: Please don't steal the voice of the many voters of San Diego who are in support of proposition 8. As a San Diego resident and small business owner, I am in support of proposition 8, and there are many like me. Don't take away our voice and pretend to the world that all of San Diego are against proposition 8.

Thank you

REMOTE_ADDR: 198.180.31.12
HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; Intel Mac OS X 10_5_5; en-us) AppleWebKit/525.18 (KHTML, like Gecko) Version/3.1.2 Safari/525.20.1

From: CLK City Clerk
Sent: Friday, October 24, 2008 2:23 PM
To: Atkins, Councilmember; Faucett, Aimee; Faulconer, Council Member Kevin; Frye, Donna; Hueso, Councilmember Ben; Lujan, Magdalena; Madaffer, Councilmember Jim; Maienschein, Councilmember; Peters, Councilmember Scott; Pickens, Sonia; Soria, Patricia; Vetter, Gary; Yepiz, Lauren; Young, Anthony
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Friday, October 24, 2008 8:43 AM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Friday, October 24, 2008 at 08:43:20

Name: CATHLEEN KENNEY

Email: cleophus@cox.net

Address: 5255 Joan Court

City: San Diego

State: CA

Zip: 92115

Area Code: 619

Telephone: 287-5368

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: #154 10/28/08

Comments: Dear San Diego Councilmembers:

I am in favor of gay and lesbian couple's desire to form legally acceptable unions and hope that some sort of legislation can be enacted to secure this that does not negatively affect others. However, the fact that school children will be exposed to opinions and values contrary to their parents' wishes is unacceptable to me and many others in my community. This is already happening and will be written in stone if Proposition 8 is defeated. and this will happen in spite everyone's assurances that the school system will be immune.

Please consider that not all your constituents will view your opposition vote to Proposition 8 favorably. This is a sensitive subject that affects families and the education of their children.

If you cannot support the proposition, at least do not take a public position against it. Please do not assume that your initial vote to oppose the proposition represents the views of your constituents.

154
10/27/08

From: CLK City Clerk
Sent: Friday, October 24, 2008 7:58 AM
To: Atkins, Councilmember; Faucett, Aimee; Faulconer, Council Member Kevin; Frye, Donna; Hueso, Councilmember Ben; Lujan, Magdalena; Madaffer, Councilmember Jim; Maienschein, Councilmember; Peters, Councilmember Scott; Pickens, Sonia; Soria, Patricia; Vetter, Gary; Yepiz, Lauren; Young, Anthony
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Friday, October 24, 2008 7:05 AM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Friday, October 24, 2008 at 07:04:59

Name: Brandon Olson

Email: narolsons@gmail.com

Address: 2783 Caminito San Marino

City: San Diego

State: CA

Zip: 92014

Area Code: 858

Telephone: 4728998

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: 154

Comments: I am writing to you today to urge you drop the city resolution on Prop 8 entirely and not make a statement at all regarding Prop 8. You are my ELECTED officials, elected to represent the WILL of the people. You should not make unilateral statements on behalf of San Diego citizens without proper polling. With regards to Prop 8, you do not speak for me! You should speak on matters relating to buildings, streets, parks, budgets - not on moral issues. I have been a San Diego resident for more than 20 years and never in my 20 years here have I seen such a disturbing time in San Diego history as I see now with this city resolution. Please, I urge you to drop the city resolution on Prop 8. Thank you.

REMOTE_ADDR: 198.180.31.12

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; SV1; .NET CLR 1.1.4322)

From: CLK City Clerk
Sent: Friday, October 24, 2008 7:50 AM
To: Atkins, Councilmember; Faucett, Aimee; Faulconer, Council Member Kevin; Frye, Donna; Hueso, Councilmember Ben; Lujan, Magdalena; Madaffer, Councilmember Jim; Maienschein, Councilmember; Peters, Councilmember Scott; Pickens, Sonia; Soria, Patricia; Vetter, Gary; Yepiz, Lauren; Young, Anthony
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Thursday, October 23, 2008 2:24 PM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Thursday, October 23, 2008 at 14:23:45

Name: Tom Olson

Email: trolson@san.rr.com

Address: 17550 Matinal Drive

City: San Diego

State: Ca

Zip: 92127

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: Item 154 October 27, 2008

Comments: I can't believe that the collective intelligence of America's Favorite City Council would take it upon themselves to speak for all the people on a moral issue like Proposition 8. You are representatives of ALL the people not just a few. Your role is to deal with city issues. You are absolutely encouraged to speak up on issues that affect the operation of the city, its budgets, infrastructure, power, sewer, streets and any other issue affecting the operation of the city. This issue has no reason to be on a City Council Agenda and for you to even consider having it is a level of hubris rarely seen. Each of you are totally free to express your INDIVIDUAL position on this issue, but collectively, you work for everyone and as such, you cannot take a position on my behalf, whether I'm for it or against it. Cease and desist.

REMOTE_ADDR: 198.180.31.12

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 7.0; Windows NT 5.1; .NET CLR 1.1.4322)

From: CLK City Clerk
Sent: Friday, October 24, 2008 7:58 AM
To: Atkins, Councilmember; Faucett, Aimee; Faulconer, Council Member Kevin; Frye, Donna; Hueso, Councilmember Ben; Lujan, Magdalena; Madaffer, Councilmember Jim; Maienschein, Councilmember; Peters, Councilmember Scott; Pickens, Sonia; Soria, Patricia; Vetter, Gary; Yepiz, Lauren; Young, Anthony
Subject: FW: City Council Meeting Agenda Comment Form

-----Original Message-----

From: nsuserid@ada.sannet.gov [mailto:nsuserid@ada.sannet.gov]
Sent: Friday, October 24, 2008 2:06 AM
To: CLK City Clerk
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Friday, October 24, 2008 at 02:06:06

Name: Nathan Freeman

Email: npfreeman@hotmail.com

Address: 3151 Evening Way

City: La Jolla

State: CA

Zip: 92037

Area Code: 858

Telephone: 412-3902

Source: San Diego City Council Meeting Agenda Comment Form at
<http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: 154, October 27, 2008

Comments: I do not believe the City Council of San Diego should stand up in public support or opposition to Prop 8. If the Council truly represents its constituents, it would recognize that San Diegans are divided on this issue; there is no consensus on how the City of San Diego feels about Proposition 8. Therefore, THE CITY COUNCIL SHOULD REMAIN NEUTRAL ON PROPOSITION 8.

I respect your opinion as well as the other council members' opinions on this matter. I would appreciate if you would respect mine.

Furthermore, I question whether the City Council Rules Committee has followed the guidelines issued by the director of intergovernmental relations regarding Council endorsement or opposition of state propositions. It is inappropriate for the City Council of San Diego to even be considering declaring an official San Diego opinion on this type of issue:

"...these criteria do not inhibit individual council members or the Mayor, from taking an individual position of support or opposition to any ballot measure."

I will be deeply disappointed if the council feels it necessary to ignore its own rules by choosing sides on this moral issue and failing to represent San Diego as a whole.